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June 10, 2008

(Via Hand Delivery)  
Hon. Joseph C. Spero  
United States Magistrate Judge  
450 Golden Gate Ave.  
15th Floor, Courtroom A  
San Francisco, CA 94102

**RE: *Kathleen Mary Jones v. LVR Holdings, et al.*, Case No. 06-03606**

Dear Magistrate Judge Spero:

The purpose of this letter is to request that the Court modify the Order of Dismissal ("Order") it entered on March 18, 2008, and allow the parties one hundred and twenty (120) days as opposed to ninety (90) days to move to vacate the Order. The reason the time period needs to be extended is that certain issues have arisen which make it impossible for the parties to determine whether or not certain settlement conditions have been met. Namely, at the present time it is not possible for Ford Motor Credit Company ("FMCC") to know whether the check it received from Richard Cutshall is in fact good. I am informed by FMCC that the reason for the delay is: 1) the check's funds were placed "for collection" as opposed to simply deposited, and 2) Mr. Cutshall's check was drawn on Canadian bank account.


- 2 -

June 10, 2008

Consequently, Plaintiff hereby requests that the Court modify the Order such that the case will not be dismissed in its entirety with prejudice for one hundred and twenty (120) days – and during that extended period, as before, evidence that “agreed [for] consideration for [] settlement has not been delivered” shall vacate the Order and the “case shall forthwith be restored to the calendar to be set for trial.”

Very truly yours,

McGRANE GREENFIELD LLP

  
Gavin Harry McGrane

cc: Nelson & Kennard (via E-mail)  
Richard Cutshall (via US Mail)

Dated: June 12, 2008

